

### **Remarks/Arguments**

Claims 21-49 are now pending in the application. Claims 1-20 have been canceled. New claims 21-49 are fully supported by the specification. The news incorporate the subject matter of 4 co-pending applications (09/520,938, 09/520,600, 09/520,944, and 09/521,470). Applicant has amended the claims for clarification. No new matter has been added to the prosecution of this application. For at least the reasons stated below, Applicant asserts that all claims are in condition for allowance.

#### **1. 35 U.S.C. § 101 Rejections**

Claims 19 and 20 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Applicants assert that this rejection is moot in light of the claim amendments above, and request withdrawal of this rejection.

#### **2. 35 U.S.C. § 112 Rejections**

Claims 19 and 20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Applicants assert that this rejection is moot in light of the claim amendments above, and request withdrawal of this rejection.

#### **3. 35 U.S.C. § 102 Rejections**

Claims 1-4, 6-8, 10-13, and 15-20 are rejected under 35 U.S.C. 102(e) as being anticipated by *Jones et al.*, U.S. Patent No. 6,021,397. Applicants oppose this rejection in light of the claim amendments above.

*Jones et al.* fails to disclose each and every limitation of Applicants' claims. *Jones et al.* discloses a financial advisory system. See the Abstract, col. 2, lines 13-44 and 48-64, col. 3, lines 32-46; col. 6, lines 14-34; col. 10, line 54 through col. 11, line 19; and col. 20, lines 26-30. Specifically, *Jones et al.* discloses a financial advisory system that permits the running of various investment scenarios for an expected economic return. These return scenarios are simulated portfolio allocations to facilitate financial product selection. (*emphasis added*). The user may input preferences, such as savings rate and desired financial risk-return tradeoffs. The user may also specify an intermediate goal such as

buying a house and run that through a simulated scenario. The user may modify the user profile data with such information as salary increases to run the scenarios. However, this functionality is not the same as Applicants' invention as claimed.

Applicants' invention, as claimed, enables a user to input a plurality of financial goals, personal goals as well as short, intermediate and long-term goals. The specific goals may include some of the goals listed in *Jones et al.*, however, Applicants use and manipulate the goals and information in a completely different manner. Applicants', as claimed, take many user goals and model them in the system. The user is then able to modify a goal (e.g., add or delete a goal(s), change the amount or date of obtaining a goal(s)) and model the financial plan of the user to determine the impact the modification of the users goal(s) has on the remaining goals. This modeling permits the user to make decisions in planning their future. Applicants' system as claimed also enables the user to quickly and intelligently make tradeoffs between their various personal and financial goals. Whereas, *Jones et al.* discloses a user may enter a goal in the portfolio optimization module and the system will analyze/run the scenario. The *Jones* system will return statistics with such information as probability of attaining the goal, or estimated time required to reach a certain level of assets with a certain probability. This is not the same as Applicants' invention as claimed. *Jones* teaches simply inputting a goal into the system for a determination as to the probability of attaining that goal. It appears that this is to permit the user to determine whether they want to pursue that goal. *Jones* does not disclose determining what the impact of pursuing that goal has on the user's other goals. *Jones et al.* fails to disclose, expressly or inherently, a determination of impact of adjustment/modification of a goal(s) on the remaining goals, as claimed by Applicants.

Applicants asserts for at least the reasons expressed above, *Jones et al.* fails to disclose all limitations of the claims. Accordingly, the 35 U.S.C. 102(e) rejection of the claims is improper. Thus, Applicants respectfully request withdrawal of the rejection.

#### **4. 35 U.S.C. § 103 Rejections**

Claims 5, 9, 14, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Jones et al.*, U.S. Patent 6,021,397. Applicants oppose this rejection in light of the claim amendments above.

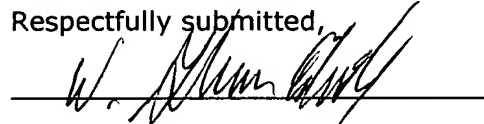
Applicants assert that *Jones et al.* fails to disclose or suggest each and every limitation of Applicants' claims for the same reasons stated in the 35 U.S.C. 102(e) rejection above. *Jones et al.* fails to disclose, expressly or inherently, a determination of impact of adjustment/modification of a goal(s) on the remaining goals, as claimed by Applicants. The modification of *Jones* under obviousness fails to overcome the deficiencies of *Jones*, as disclosed by Applicants above.

Accordingly, Applicants assert that *Jones* fails to disclose or suggest all of the limitations of Applicants' claims. Thus, Applicants assert that the 35 U.S.C. 103(a) rejection is improper, and request withdrawal of the rejection.

## **5. Conclusion**

Applicant submits that all pending claims are allowable over the art of record and respectfully requests that a Notice of Allowance be issued in this case. In the event a telephone conversation would expedite the prosecution of this application, the Examiner may reach the undersigned at (612) 607-7278. If any fees are due in connection with the filing of this paper, then the Commissioner is authorized to charge such fees including fees for any extension of time, to Deposit Account No. 50-1901 (Docket 60021-352501).

Respectfully submitted,



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